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4 Attorneys for Debtors

5 UNITED STATES BANKRUPTCY COURT
6
7 NORTHERN DISTRICT OF CALIFORNIA

8 IN RE: CASE No. 10-12656

9 JOHN HOWARD BOARDMAN, and CHAPTER 13
JOHANNA LEA BOARDMAN,

10 DEBTORS. /

MOTION TO DETERMINE SECURED
STATUS; DECLARATION OF JOHANNA
BOARDMAN; MEMORANDUM OF POINTS
AND AUTHORITIES (US Bank)
Date: August 20, 2010
Time: 9:00 a.m.
Place: 99 South E St.
Santa Rosa, CA

14 TO: HONORABLE ALAN JAROSLOVSKY, UNITED STATES BANKRUPTCY JUDGE:

15 JOHN and JOHANNA BOARDMAN, Debtors herein, hereby move the
16 above entitled Court for an Order Determining the Secured Status of
17 the allowed claim of US Bank (3571 Tollini Lane, Ukiah, CA) pursuant
18 to Section 506 of the Code and the terms of the Chapter 13 Plan.

19 Said Motion is made on the grounds that the value of the
20 collateral is \$277,000 and that such creditor's interest in the
21 collateral is limited to \$277,000.

22 Said Motion is based hereon, on the appended Declaration of
23 Johanna Boardman and on the Memorandum of Points and Authorities
24 appended hereto.

25 Dated: 7/23/10 DAVID N. CHANDLER, p.c.

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27 By: /s/ David N. Chandler
DAVID N. CHANDLER,
28 Attorney for Debtors

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1 In re Glenn, 786 F.2d 1144 (9th Cir. 1986).

4. The Chapter 13 Plan provides that the claim of Bank of America will be stripped upon discharge.

4 5. It is respectfully submitted that the value of the
5 collateral which is collateral for the claimholder is as set forth
6 herein and that the claimant's allowable claim is wholly unsecured.

7 6. It is submitted that the collateral be valued as herein
8 provided and that the secured component of the claim be determined.

9 Dated: 7/23/10

Respectfully submitted,

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DAVID N. CHANDLER, p.c.

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By: /s/ David N. Chandler

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DAVID N. CHANDLER,
Attorney for Debtors

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